

# **Your Rights**

Your rights as a  
telephone customer

**State of Wisconsin**

**When it comes to your phone service, we know you have many questions.  
The State of Wisconsin's TeleWatch program will give you plain talk  
about your telephone service.**

The Public Service Commission of Wisconsin (PSC) is the state agency that oversees the telephone industry. Services and prices vary from one company to another. The PSC is assigned the responsibility of seeing that utilities provide adequate service at reasonable rates.

State and Federal laws promoting competition may change your telephone service choices; but you still have certain rights as a telephone customer.

**The right to choose your provider of telephone service:** When more than one provider is available, you can choose the one provider you prefer.

**The right to be informed:** When you apply for telephone service, the utility must inform you of the basic services available and give you a description of the general service types. The phone company also must tell you about the range of monthly rates for these services.

**The right to quality service:** Each local telephone utility must list in the telephone directory a 24-hour repair service number. You can call this number regarding emergencies, utility service deficiencies such as interruptions to service, noise or static on the lines, dial-tone delays, etc.

**The right to receive assistance:** Utilities must provide you with information on programs to assist qualifying low-income customers in establishing telephone service or paying monthly bills.

**The right to dispute charges or services:** If you are not receiving the service you requested, or you feel you are being taken advantage of, you have the right to file a complaint and have your problem investigated.

## **What the PSC can do**

Before contacting the PSC, contact your phone company to try to solve the problem.

If you are behind on your bill, the utility may offer you an installment plan to pay your bill.

If you cannot resolve a problem with your phone company, you may contact the PSC Consumer Affairs Unit.

**1** A Consumer Specialist will look into your complaint, contact the phone company for information, and try to reach an agreement that satisfactorily resolves the issue within the scope of the PSC rules and state laws. This process is called "informal review."

**2** You or the phone company may ask for "formal review" if either party does not agree with the staff's informal decision.

**3** If you ask for a formal review, the PSC commissioners will review your complaint. The PSC will inform you by letter of its decision or it will hold a hearing on the matter. If the matter is set for hearing, your phone service may not be disconnected for the disputed charges.

**4** During the dispute procedure, you are responsible for paying any portion of the bill not in dispute as well as charges incurred after the formal review process begins. While the PSC reviews your dispute, your service should not be disconnected.

## Deposits

In certain circumstances, telephone companies may require you to give them a deposit to ensure payment. The deposit should be no larger than the bill for one month of local service and two months of long distance service. The following rules apply to payment and refund of deposits:

**Existing Residential Service:** A deposit can be requested only if your service was disconnected during the last 12 months for nonpayment of an undisputed account or if additional credit information indicates your initial application was falsified or incomplete. The deposit will be refunded, with interest, after 12 consecutive months of service without a disconnection.

**New Residential Service:** A deposit can be requested only if you have an unpaid bill with a Wisconsin telephone utility within the last six years which remains outstanding and undisputed, circumstances surrounding your application indicate you do not intend to pay your bills, or you will be clearly unable to pay at the time payment is due. The deposit will be refunded with interest after 12 consecutive months without disconnection.

**Business Service:** A deposit can be requested if your credit is not satisfactorily established to the telephone company. The deposit will be refunded with interest after 24 months if your credit standing is satisfactory.

For both residential and business service, instead of a deposit, the utility may accept a contract signed by a second party which guarantees payment of a specified sum not greater than the cash deposit requirement. The second party (guarantor) must be acceptable to the utility. Phone service may be disconnected or refused for failure to comply with a deposit request.

## Service disconnection

Phone service can be disconnected only if you fail to pay a delinquent account that exceeds one month's local service charges, fail to meet a deferred payment agreement, interfere with the service of others, continue operating nonstandard equipment after being notified and given a chance to correct the situation, fail to pay a deposit or falsify your application for service as discovered through subsequent credit information.

For purposes of disconnection, telephone bills are considered due one day after issuance.

The phone company must give you a five-day written notice before disconnection, except when an emergency or dangerous condition exists. The dispute procedure must be printed on the disconnection notice. Both you and the telephone utility must make reasonable attempts to resolve the problem. Only that portion of the bill actually in dispute may be withheld while the matter is in dispute.

Never disregard a disconnection notice, even if you believe it is unwarranted. Contact the utility immediately.

Your local phone service may not be disconnected or refused for failure to pay someone else's bill (unless that person is a member of your household), failure to pay for directory advertising, failure to pay for a different type or class of utility service, failure to pay the account of another customer as guarantor, or if you have posted a two-month deposit, make arrangements to pay off unpaid balances, and keep current on future bills.

## Payment plans

These arrangements are designed to help customers pay off overdue bills in installments. Utilities are required to offer them to residential customers.

When you agree to make a reasonable down payment on a bill and to pay the remaining amount in reasonable installments, plus your current bill, your service may not be disconnected. Reasonable amounts are determined by considering the following:

- Size of amount due.
- Your ability to pay.
- Your payment history.
- Amount of time the debt has been outstanding.
- Reasons why the debt has been outstanding.
- Any other significant factors concerning your individual circumstances

A deferred payment agreement must not include a finance charge.

If you do not make payments according to the deferred payment agreement, the utility may disconnect service and is not required to offer you a new deferred payment agreement prior to disconnection.

## **Tips for Dispute Resolution**

Who do you contact to resolve problems with your telephone bill? There may be several levels of “players” involved in providing different services on your telephone bill. Understanding who the players are and their relationships may help you to dispute unwanted charges more efficiently and avoid a runaround.

### **Service Providers**

There are several different levels of service providers for telephone service itself. You have a local company, an IntraLATA (or local toll) provider, and a long distance carrier. Among these, the local company may also provide billing and collection services for long distance companies as a convenience to customers. That is why your bill for local and long distance services may be together in one envelope.

For telecommunications-related service, there are a myriad of providers that offer services such as voice mail, 800 numbers, etc. Companies other than your chosen carrier may offer these services, although the local phone company often bills for them.

For non-telecommunications-related services, a variety of charges may appear on your bill, including psychic clubs, chat groups, travel cards, or other services. The local telephone company often bills for these services as well.

### **Billing Agents**

Any or all of the above types of providers may employ billing agents, or sometimes more than one billing agent may be involved in billing for the same service. In some cases, the billing agent may have sufficient records from the provider regarding the services to resolve disputes. In other cases the billing agent may refer the customer to the provider to resolve the dispute. Occasionally, the customer may not be able to find out from the bill or the billing agent who was the actual provider of the service.

#### **Example**

A company offering 800 service may hire a billing agent to provide the bill and a toll-free number for customer inquiries. At the same time, the local telephone company may then accept that bill from the billing agent, and enclose it with the customer’s local phone bill. Then the customer would find the local phone company bill, and a separate page from the billing agent for the 800 service, in the same envelope, with payment due for both services to the local phone company.

### **Disputing Unwanted Charges**

To dispute unwanted charges, consumers should start with the billing agent or provider of service listed on the bill. If these entities do not adequately respond to the dispute and the bill came enclosed with the local telephone bill, customers should contact the local company to ask for dispute resolution. Adequate dispute resolution may include an explanation of the charges, proof of authorization of the charges, and/or removal of the charges from the consumer’s bill. If the local company does not resolve the dispute, consumers should contact the Public Service Commission (PSC).

## Who can help?

**The Public Service Commission of Wisconsin** is the state agency that oversees the telephone industry. Most local and in-state telephone billing and service complaints may be directed to the PSC. Call or write to:

P.O. Box 7854  
Madison, WI 53707-7854  
(800) 225-7729 (800-CAL-PSCW)  
TTY (608) 267-1479  
Fax (608) 266-3957  
E-Mail: [pscsecs@psc.state.wi.us](mailto:pscsecs@psc.state.wi.us)  
<http://psc.wi.gov>

**The Wisconsin Department of Agriculture, Trade and Consumer Protection** mediates and investigates telecommunications complaints, including those regarding mail and phone solicitations, deceptive and misleading marketing, and long distance rate changes. Call or write to:

P.O. Box 8911  
Madison, WI 53708-8911  
(800) 422-7128  
TTY (608) 224-5058  
Fax (608) 224-4939  
E-Mail: [datcph hotline@datcp.state.wi.us](mailto:datcph hotline@datcp.state.wi.us)  
<http://datcp.state.wi.us>

**The Wisconsin Department of Justice** enforces state law, including telecommunications. Write to them at:

123 West Washington Ave.  
P.O. Box 7857  
Madison, WI 53707-7857  
[www.doj.state.wi.us](http://www.doj.state.wi.us)

**The Federal Communications Commission** is the federal agency that oversees the telecommunications industry. Call or write to:

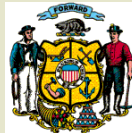
Consumer Protection Branch  
Common Carrier Bureau  
445 12th St., SW  
Washington, DC 20554  
Toll-free (888) 225-5322 (888-CALL FCC)  
Toll-free TTY  
(888) 835-5322 (888-TELL FCC)  
[www.fcc.gov](http://www.fcc.gov)

## Bilingual service / Servicio Bilingüe

The Public Service Commission (PSC) is also able to provide customer assistance in Spanish. When calling the PSC, please ask to speak to a Spanish speaking representative.

En la Comisión de Servicios Públicos del estado de Wisconsin (PSC) podemos asistirles en español. Cuando llame a la PSC, pida hablar con un representante de habla hispana.

**The Public Service Commission of Wisconsin does not discriminate on the basis of disability in the provision of programs, services, or employment. If you are speech hearing, or visually impaired and need assistance, call (608) 262-8524 or TTY (608) 267-1479. We will try to find another way to get the information to you in usable form.**



This brochure was produced jointly by the WI Public Service Commission, the WI Department of Agriculture, Trade and Consumer Protection, and the WI Department of Justice.